



## DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-2021-0032]

### Privacy Act of 1974; Computer Matching Program

**AGENCY:** U.S. Citizenship and Immigration Services, Department of Homeland Security.

**ACTION:** Notice of a reestablished matching program.

**SUMMARY:** Pursuant to the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988 and the Computer Matching and Privacy Protections Amendment of 1990 (Privacy Act), and Office of Management and Budget (OMB) guidance on the conduct of matching programs, notice is hereby given of the reestablishment of a matching program between the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS), and the New Jersey Department of Labor and Workforce Development (NJ-LWD). NJ-LWD will match against DHS-USCIS data to verify the immigration status of non-U.S. citizens who apply for federal benefits (Benefit Applicants) under Unemployment Compensation (UC) programs that NJ-LWD administers to determine whether Benefit Applicants possess the requisite immigration status to be eligible for the UC it administers.

**DATES:** Please submit comments on the proposal by [INSERT DATE 30 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER]. The matching program will be effective on [INSERT DATE 30 DAYS FROM DATE OF PUBLICATION IN THE FEDERAL REGISTER] unless comments have been received from interested members of the public that require modification and republication of the notice. The matching program will continue for 18 months from the beginning date and may be extended an additional 12 months if the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

**ADDRESSES:** You may submit comments, identified by docket number DHS-2021-0032 by one of the following methods:

- **Federal e-Rulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Fax:** 202-343-4010.
- **Mail:** Lynn Parker Dupree, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, D.C. 20528-0655.

*Instructions:* All submissions received must include the agency name and docket number DHS 2021-0032. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** To obtain additional information about this matching program and the contents of this Computer Matching Agreement between DHS-USCIS and NJ-LWD, please view this Computer Matching Agreement at the following website: <https://www.dhs.gov/publication/computer-matching-agreements-and-notices>. For general questions about this matching program, contact Jonathan M. Mills, Acting Chief, USCIS SAVE Program at (202) 306-9874. For general privacy questions, please contact Lynn Parker Dupree, (202) 343-1717, Chief Privacy Officer, Department of Homeland Security, Washington, D.C. 20528-0655.

**SUPPLEMENTARY INFORMATION:** DHS-USCIS provides this notice in accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. No. 100-503) and the Computer Matching and Privacy Protection Amendments of 1990 (Pub. L. No. 101-508) (Privacy Act); Office of Management and Budget (OMB) Final Guidance Interpreting the

Provisions of Pub. L. No. 100-503, the Computer Matching and Privacy Protection Act of 1988, 54 FR 25818 (June 19, 1989); and OMB Circular A-108, 81 FR 94424 (December 23, 2016).

**PARTICIPATING AGENCIES:** DHS-USCIS and NJ-LWD.

**AUTHORITY FOR CONDUCTING THE MATCHING PROGRAM:**

Section 121 of the Immigration Reform and Control Act (IRCA) of 1986, Pub. L. No. 99-603, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Pub. L. No. 104-193, 110 Stat. 2168 (1996), requires DHS to establish a system for the verification of immigration status of noncitizen applicants for, or recipients of, certain types of benefits as specified within IRCA, and to make this system available to state agencies that administer such benefits. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub. L. No. 104-208, 110 State. 3009 (1996) grants federal, state or local government agencies seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency with the authority to request such information from DHS-USCIS for any purpose authorized by law.

**PURPOSE:** The purpose of this Agreement is to re-establish the terms and conditions governing NJ-LWD's access to, and use of, the DHS-USCIS Systematic Alien Verification for Entitlements (SAVE) Program, which provides immigration status information from federal immigration records to authorized users, and to comply with the Computer Matching and Privacy Protection Act of 1988 (CMPPA).

NJ-LWD will use the SAVE Program to verify the immigration status of non-U.S. citizens who apply for federal benefits (Benefit Applicants) under the Unemployment Compensation (UC) benefits program that it administers. NJ-LWD will use the information obtained through the SAVE Program to determine whether Benefit Applicants possess the requisite immigration status to be eligible for the UC benefits administered by NJ-LWD.

This Agreement describes the respective responsibilities of DHS-USCIS and NJ-LWD to verify Benefit Applicants' immigration status while safeguarding against unlawful discrimination and preserving the confidentiality of information received from the other party. The requirements of this Agreement will be carried out by authorized employees and/or contractor personnel of DHS-USCIS and NJ-LWD.

**CATEGORIES OF INDIVIDUALS:** The persons about whom DHS-USCIS maintains information, which is contained in its Verification Information System (VIS) database used by the SAVE Program to verify immigration status, that are involved in this matching program include noncitizens (meaning any person as defined in Immigration and Nationality Act section 101(a)(3)), those naturalized, and to the extent those that have applied for Certificates of Citizenship, derived U.S. citizens, on whom DHS-USCIS has a record as an applicant, petitioner, sponsor, or beneficiary. The persons about whom NJ-LWD maintains information that is involved in this matching program include non-citizen Benefit Applicants for, or recipients of, UC administered by NJ-LWD. The persons referred to here are only considered individuals as defined by the Privacy Act, and thus covered under this matching program, to the extent they are U.S. citizens or lawful permanent residents.

**CATEGORIES OF RECORDS:** Data elements to be matched between NJ-LWD records and DHS-USCIS federal immigration records include the following: Last Name, First Name, Middle Name, Date of Birth, Immigration Numbers (e.g., Alien Registration/USCIS Number, I-94 Number, SEVIS ID Number, Certificate of Naturalization Number, Certificate of Citizenship Number, or Unexpired Foreign Passport Number), and Other Information from Immigration Documentation (for example, Country of Birth, Date of Entry, Employment Authorization Category). Additional Data elements provided to NJ-LWD from DHS-USCIS records related to the match may include: Citizenship or Immigration Data (for example, immigration class of

admission and/or employment authorization), Sponsorship Data (for example, name, address, and social security number of Form I-864/I-864EZ sponsors and Form I-864A household members, when applicable) and Case Verification Number.

**SYSTEM OF RECORDS:** DHS/USCIS-004 Systematic Alien Verification for Entitlements (SAVE) System of Records Notice, 84 FR 31798 (May 27, 2020).

Lynn Parker Dupree  
Chief Privacy Officer  
Department of Homeland Security.

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